

**THE UNITED NATIONS ORGANIZATION MISSION IN THE DEMOCRATIC
REPUBLIC OF CONGO (MONUC):
A CASE FOR PEACEKEEPING REFORM**

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**House Committee on International Relations:
Subcommittee on Africa, Global Human Rights and International Operations**

Mr. Chairman, and distinguished Members of the House International Relations Subcommittee on Africa, Global Human Rights and International Operations. Thank you for holding today's hearing on an extremely important issue: widespread abuses carried out by United Nations personnel against refugees in the Democratic Republic of Congo, and implications for U.N. peacekeeping reform.

This hearing will undoubtedly shine a huge spotlight on a major scandal in the heart of Africa, which has until now received relatively little attention from Congress and the world's media. In the Congo, acts of great evil and barbarism have been perpetrated by United Nations peacekeepers and civilian personnel entrusted with protecting some of the weakest and most vulnerable women and children in the world. Congress has a vital role to play in helping ensure that those responsible are brought to justice. It is my hope also that this hearing will help prevent abuses on this scale from ever occurring again in current and future U.N. peacekeeping operations.

Personnel from the U.N. Mission in the Democratic Republic of the Congo stand accused of at least 150 major human rights violations.³ This is almost certainly just the tip of the iceberg, and the scale of the problem is likely to be far greater.

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The crimes involve rape and forced prostitution of women and young girls across the country, including inside a refugee camp in the town of Bunia, in northeastern Congo. The alleged perpetrators include U.N. military and civilian personnel from Nepal, Morocco, Tunisia, Uruguay, South Africa, Pakistan, and France. The victims are defenseless refugees, many of them children, who have already been brutalized and terrorized by years of war and who looked to the U.N. for safety and protection. The U.S. Congress should act to ensure that the U.N. personnel involved are brought to justice and that such barbaric abuses are never repeated.

U.N. Secretary-General Kofi Annan has acknowledged that “acts of gross misconduct have taken place.”⁴ A draft United Nations report has described sexual exploitation by U.N. personnel in the Congo as “significant, widespread and ongoing.”⁵ In the words of William Lacy Swing, Annan’s special representative to the Congo, “We are shocked by it, we’re outraged, we’re sickened by it. Peacekeepers who have been sworn to assist those in need, particularly those who have been victims of sexual violence, instead have caused grievous harm.”⁶

This scandal raises serious questions about U.N. oversight of its peacekeeping operations and the culture of secrecy and lack of accountability that pervade the U.N. system. The fact that abuses of this scale are taking place under U.N. supervision is astonishing, and it is inconceivable that officials in New York were unaware of the magnitude of the problem at an early stage.

There are major doubts surrounding the effectiveness and scope of the U.N.’s own internal investigation into the Congo scandal, conducted by the Office of Internal Oversight Services, headed by Under Secretary General Dileep Nair.⁷ A confidential U.N. report obtained by *The Washington Post* revealed that “U.N. peacekeepers threatened U.N. investigators investigating allegations of sexual misconduct in Congo and sought to bribe witnesses to change incriminating testimony.”⁸ According to the *Post*,

³ For background, see Kate Holt and Sarah Hughes, “[Sex and the U.N.: When Peacekeepers Become Predators](#),” *The Independent*, January 11, 2005; Jonathan Clayton and James Bone, “[Sex Scandal in Congo Threatens to Engulf U.N.’s Peacekeepers](#),” *The Times*, December 23, 2004; and Marc Lacey, “[In Congo War, Even Peacekeepers Add to Horror](#),” *The New York Times*, December 18, 2004.

⁴ “[Annan Vows to End Sex Abuse Committed by U.N. Mission Staff in DR of Congo](#),” U.N. News Center, November 19, 2004.

⁵ Colum Lynch, “[U.N. Sexual Abuse Alleged in Congo; Peacekeepers Accused in Draft Report](#),” *The Washington Post*, December 16, 2004.

⁶ “[U.N. Outraged by Sex Abuse](#),” CNN.com, January 10, 2005.

⁷ *Investigation by the Office of Internal Oversight Services into Allegations of Sexual Exploitation and Abuse in the United Nations Organization Mission in the Democratic Republic of the Congo*, January 5, 2005, at <http://www.monuc.org/downloads/0520055E.pdf>

⁸ Colum Lynch, “[U.N. Sexual Abuse Alleged in Congo; Peacekeepers Accused in Draft Report](#),” *The Washington Post*, December 16, 2004.

the report also cites instances where peacekeepers from Morocco, Pakistan, and possibly Tunisia “were reported to have paid, or attempted to pay witnesses to change their testimony.”

The Congo abuse scandal is the latest in a string of scandals that have hit U.N. peacekeeping operations across the world. Indeed, it appears that U.N. peacekeeping missions frequently create a predatory sexual culture, with refugees the victims of U.N. staff who demand sexual favors in exchange for food, and U.N. troops who rape women at gunpoint. Allegations of sexual abuse or misconduct by U.N. personnel stretch back at least a decade, to operations in Kosovo, Sierra Leone, Liberia, and Guinea. Despite previous U.N. investigations, and Kofi Annan’s declaration of a policy of “zero tolerance” toward such conduct, little appears to have changed in the field.⁹

The United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)

Established in 1999, MONUC is currently authorized by Security Council Resolution 1493. It is the world’s second biggest U.N. peacekeeping mission, with a total of 13,950 uniformed personnel, including 13,206 troops, 569 military observers and 175 civilian police. In addition, there are 735 international civilian personnel and 1,140 local civilian staff. 47 U.N. member states have contributed military personnel, and 20 countries have contributed civilian police personnel toward MONUC.¹⁰ The MONUC Force Commander is Major-General Samaila Iliya of Nigeria.

The biggest peacekeeping contingents (based on September 2004 figures) are from Uruguay, (1,778 soldiers), Pakistan (1,700), South Africa (1,387), Bangladesh (1,304), India (1,302), Nepal (1,225), and Morocco (801).¹¹ There are no U.S. personnel serving as peacekeepers or military observers with MONUC.

U.S. Funding of MONUC

An issue of great concern to Congress should be the scale of U.S. funding for the Congo operation. U.N. peacekeeping operations paid for with U.S. public funds should be accountable to American taxpayers, who expect U.N. officials and peacekeepers to conduct themselves with honor and integrity.

⁹ For further background, see Joseph Loconte, “[The U.N. Sex Scandal](#),” *The Weekly Standard*, January 3/10, 2005; Kate Holt and Sarah Hughes, “[Sex and Death in the Heart of Africa](#),” *The Independent*, May 25, 2004; and Michael J. Jordan, “[Sex Charges Haunt U.N. Forces](#),” *The Christian Science Monitor*, November 26, 2004.

¹⁰ MONUC, “Facts and Figures”, January 31, 2005, at <http://www.un.org/Depts/dpko/missions/monuc/facts.html>

¹¹ MONUC, “Military Contributions,” September 12, 2004, at <http://www.monuc.org/ContribMilit.aspx?lang=en>.

The United States and is the biggest financial contributor to MONUC, providing about a third of its operating budget of \$746 million. The U.S. contribution to the U.N. peacekeeping mission in the Congo has been substantial. If 2005 figures are included, the U.S. will have contributed roughly three quarters of a billion dollars (\$759 million) toward MONUC since 2000, according to State Department figures. The U.S. is expected to contribute \$249 million toward MONUC in FY 2005, and \$207 million in FY 2006.¹²

U.S. Funding for Worldwide UN Peacekeeping Activities

The United States is the world's biggest contributor to U.N. peacekeeping operations, contributing 27 percent of the total worldwide U.N. peacekeeping budget. The U.S. is expected to contribute over \$1 billion toward U.N. peacekeeping activities across the world in FY 2006.

Over the past decade the United States has made a huge contribution toward U.N. peacekeeping operations. Since 2001, including 2005 figures, the United States will have contributed \$3.59 billion toward U.N. international peacekeeping operations.¹³

According to the General Accountability Office (GAO), the United States gave the U.N. \$3.45 billion in direct contributions to conduct peacekeeping operations between 1996 and 2001.¹⁴ This figure is dwarfed by the estimated \$24.2 billion in indirect contributions made by the US to help support 33 U.N. peacekeeping operations in 28 countries during that five-year period.¹⁵

There are currently 428 U.S. personnel serving in U.N. peacekeeping operations across the world, in the Middle East, Kosovo, Georgia, East Timor, Liberia, Ethiopia and Eritrea, and Haiti. They are overwhelmingly civilian police, including 309 serving with the United Nations Mission in Kosovo (UNMIK). There are only 6 American troops under U.N. command (three in Haiti and three in Liberia).¹⁶

¹² See U.S. Department of State, "Account Tables," at <http://www.state.gov/m/rm/rls/iab/2003/7809.htm>; U.S. Department of State, "The Budget in Brief: Fiscal Year 2006 Budget Request," February 7, 2004, at <http://www.state.gov/documents/organization/41676.pdf>; and U.S. Department of State, "UN Mission in the Democratic Republic of the Congo (MONUC)," April 12, 2001, at <http://www.state.gov/p/io/fs/2001/2512.htm>.

¹³ Based on State Department figures.

¹⁴ *UN Peacekeeping: Estimated US Contributions, Fiscal Years 1996-2001*, General Accountability Office (GAO), February 2002, at <http://www.gao.gov/new.items/d02294.pdf>

¹⁵ Ibid. The GAO defines indirect contributions as "US programs and activities that are located in the same area as an ongoing UN peacekeeping operation, have objectives that help the peacekeeping operation achieve its mandated objectives, and are not an official part of the UN operation."

¹⁶ UN figures. See also Marjorie Ann Browne, "United Nations Peacekeeping: Issues for Congress", Congressional Research Service, January 11, 2005, at <http://www.usembassy.it/pdf/other/IB90103.pdf>

Questions for Congress

There are many key questions that arise from the scandal and which merit congressional scrutiny:

- Why has the U.N. failed to effectively prevent abuse by its personnel given its tarnished record in previous peacekeeping operations?
- Why did the U.N. take six months to release its own internal report on the Congo abuse scandal?
- To what extent were the U.N. Secretary-General and other senior U.N. officials aware of the abuses by U.N. personnel in the Congo before media reports began to surface?
- Can the U.N. be relied upon to objectively conduct its own investigations into allegations against its peacekeepers and civilian staff?
- How can U.N. peacekeepers and civilian personnel accused of human rights abuses be prosecuted for their crimes?
- What measures can be implemented to ensure that future U.N. peacekeeping operations are transparent, accountable, and run in accordance with the Universal Declaration of Human Rights? What mechanisms should be put in place to ensure external oversight of U.N. operations?
- What impact should the Congo scandal have on future U.S. contributions to the U.N. peacekeeping budget?

Key Recommendations for Congress and the United States Government

- The United States should call for a Security Council-backed fully independent investigation into the MONUC abuse scandal, to cover all areas of the MONUC operation. In addition there should be independent investigations launched into allegations of abuse by U.N. personnel in other U.N. peacekeeping operations, including Kosovo, Sierra Leone, Liberia and Burundi.
- The United States Government should pressure U.N. member states to prosecute their nationals accused of human rights violations while serving as U.N. peacekeepers.
- The U.N. should lift diplomatic immunity for its own staff accused of criminal acts in the Congo, opening the way for prosecution.

- The Security Council should exclude countries whose peacekeepers have a history of human rights violations from future operations. The U.N. should publicly name and shame those countries whose peacekeepers have carried out abuses in the Congo.
- The U.N. should make publicly available all internal reports relating to the Congo scandal, and outline the exact steps it plans to take to prevent the sexual exploitation of refugees in both existing and future U.N. peacekeeping operations.
- Fully independent commissions of inquiry should handle all future investigations into human rights abuses by U.N. personnel.
- An external oversight body, completely independent of the U.N. bureaucracy and staffed by non-U.N. officials, but backed by a Security Council mandate, should be established to act as a watchdog over U.N. operations, including humanitarian programs and peacekeeping operations.
- The United States should also set up its own U.N. oversight unit, answerable to Congress, specifically charged with monitoring the use of American contributions to United Nations peacekeeping and humanitarian operations. This could be funded by diverting part of the annual U.S. assessed contribution for the United Nations.
- Congress should withhold a percentage of the U.S. contribution to U.N. peacekeeping operations unless U.N. personnel responsible for criminal activity are brought to justice.
- Serious consideration should be given to the establishment of an elite training academy for U.N. peacekeeping commanders, backed by the Security Council.

Conclusion

The Congo episode has further undermined the credibility of the United Nations and raises serious questions regarding the effectiveness of the U.N.'s leadership and the U.N.'s Office of Internal Oversight Services. The U.N. has consistently failed to publicize, prevent and punish the criminal behavior of its own personnel in trouble spots across the world.

The sexual abuse scandal in the Congo makes a mockery of the U.N.'s professed commitment to uphold basic human rights. U.N. peacekeepers and the civilian personnel who work with them should be symbols of the international community's commitment to protecting the weak and innocent in times of war. The exploitation of some of the most vulnerable people in the world—refugees in a war-ravaged country—is a shameful episode, a betrayal of trust, that will haunt the United Nations for years to come.

Appendix 1 MONUC Military Contributions

As of 09/12/2004

<u>Country</u>	<u>Pays</u>	<u>Milobs</u>	<u>Contingent</u>	<u>Totals</u>
Algeria	Algerie	11	0	11
Bangladesh	Bangladesh	23	1304	1327
Belgium	Belgique	5	0	5
Benin	Bénin	13	0	13
Bolivia	Bolivie	7	202	209
Bosnia	Bosnie	5	0	5
Burkina Faso	Burkina Faso	12	0	12
Cameroon	Cameroun	5	0	5
Canada	Canada	8	0	8
Chile	Chili	0	0	0
China	Chine	12	218	230
Czech Republic	République Tchèque	3	0	3
Denmark	Danmark	2	0	2
Egypt	Égypte	28	0	28
France	France	5	3	8
Ghana	Ghana	21	460	481
India	Inde	46	1302	1348
Indonesia	Indonésie	13	175	188
Ireland	Irlande	3	0	3
Jordan	Jordanie	30	0	30
Kenya	Kenya	37	6	43
Malawi	Malawi	21	0	21
Malaysia	Malaysia	20	0	20
Mali	Mali	23	0	23
Marocco	Maroc	2	801	803
Mongolia	Mongolie	2	0	2
Mozambique	Mozambique	2	0	2
Nepal	Népal	21	1225	1246
Niger	Niger	18	0	18
Nigeria	Nigeria	37	0	37
Pakistan	Pakistan	38	1701	1739
Paraguay	Paraguay	18	0	18
Peru	Pérou	5	0	5
Poland	Pologne	3	0	3
Romania	Romanie	27	0	27
Russia	Russie	27	0	27
Senegal	Sénégal	20	459	479
Serbia	Serbie	0	6	6
South Africa	Afrique du Sud	13	1387	1400
Spain	Espagne	2	0	2
Sri Lanka	Sri Lanka	2	0	2
Sweden	Suède	6	0	6
Switzerland	Suisse	3	0	3
Tunisia	Tunisie	32	464	496
UK	Angleterre	5	0	5
Ukraine	Ukraine	16	0	16
Uruguay	Uruguay	49	1778	1827
Zambia	Zambie	24	0	24
		725	11491	12216

Source: MONUC Website, at <http://www.monuc.org/ContribMilit.aspx?lang=en>

Appendix 2

MONUC's Mandate & Resolutions

MONUC's mandate is defined by the Security Council's resolutions. The current mandate is mostly provided by **Resolution 1493**, dated 28 July 2003, whereby the Security Council, acting under the Chapter VII of the United Nations Charter, authorized the increase of MONUC's military strength to 10,800.

According to this resolution the Security Council:

- Requests MONUC, which convenes the International Committee in support of the Transition, to coordinate all the activities of the United Nations system in the Democratic Republic of the Congo and to facilitate coordination with other national and international participants in support of the transition;
- Encourages MONUC, in coordination with other United Nations agencies, donors and non-governmental organizations, to provide assistance during the transition period for the reform of security forces, the re-establishment of a State based on the rule of law and the preparation and holding of elections throughout the territory of the Democratic Republic of the Congo;
- Authorizes MONUC to assist the Government of National Unity and Transition in disarming and demobilizing those Congolese combatants who may voluntarily decide to enter the disarmament, demobilization and reintegration (DDR) process within the framework of the Multi-Country Demobilization and Reintegration Program (MDRP), pending the establishment of a national DDR program in coordination with the United Nations Development Program and other concerned agencies;
- Authorizes MONUC to take the necessary measures, in the areas of deployment of its armed units, to protect United Nations personnel, facilities, installations and equipment; to ensure the security and freedom of movement of its personnel, in particular those engaged in missions of observation, verification and DDRRR; to protect civilians and humanitarian workers under imminent threat of physical violence; and to contribute to the improvement of the security conditions in which humanitarian assistance is provided;

*In order to fulfill its mandate, the Security Council authorizes MONUC to use all means in Ituri district, and as deemed necessary and within the limits of its capacities, in the Kivu's. This is the Chapter VII of the United Nations Charter.

Source: MONUC Website, at <http://www.monuc.org/MandateEn.aspx>

Appendix 3

Top Contributors to UN Worldwide Peacekeeping Missions

	Country	Personnel
1.	Pakistan	8,183
2.	Bangladesh	7,942
3.	India	5,154
4.	Nepal	3,453
5.	Ethiopia	3,428
6.	Ghana	3,335
7.	Jordan	2,929
8.	Nigeria	2,884
9.	Uruguay	2,497
10.	South Africa	2,317
11.	Morocco	1,704
12.	Kenya	1,675
13.	Senegal	1,575
14.	Brazil	1,367
15.	Ukraine	1,204
16.	China	1,038
17.	Argentina	1,006
18.	Namibia	886
19.	Sri Lanka	778
20.	Poland	724
21.	France	606
22.	Chile	582
23.	Tunisia	523
24.	Ireland	476
25.	Niger	468
26.	Philippines	455
27.	United Kingdom	431
28.	United States	428
29.	Austria	417
30.	Benin	411
31.	Russia	363
32.	Togo	323
33.	Canada	314
34.	Sweden	303
35.	Germany	296
36.	Turkey	293
37.	Spain	260
38.	Romania	239
39.	Bolivia	231
40.	Peru	226

Source: Ranking of Military and Civilian Police Contributions to UN Operations, United Nations Peacekeeping Website, at http://www.un.org/Depts/dpko/dpko/contributors/2005/January2005_2.pdf

Appendix 4

Worldwide UN Peacekeeping Missions

Mission	Personnel
UNMIL (UN Mission in Liberia)	15,775
MONUC (UN Mission in the Democratic Republic of Congo)	13,950
MINUSTAH (UN Stabilization Mission in Haiti)	7,392
UNOCI (UN Operation in Cote D'Ivoire)	6,224
ONUB (UN Operation in Burundi)	5,460
UNAMSIL (UN Mission in Sierra Leone)	4,167
UNMIK (UN Interim Administration Mission in Kosovo)	3,546
UNMEE (UN Mission in Ethiopia and Eritrea)	3,364
UNIFIL (UN Interim Force in Lebanon)	1,994
UNDOF (UN Disengagement Observer Force)	1,023
UNFICYP (UN Peacekeeping Force in Cyprus)	959
UNMISSET (UN Mission of Support for East Timor)	619
MINURSO (UN Mission for the Referendum in Western Sahara)	229
UNTSO (UN Truce Supervision Organization)	152
UNOMIG (UN Observer Mission in Georgia)	133
UNMOGIP (UN Observer Group in India and Pakistan)	44
UNAMA (UN Assistance Mission in Afghanistan)	19
Total	65,050

Source: UN Missions Summary of Military and Civilian Police, United Nations Peacekeeping Website, at http://www.un.org/Depts/dpko/dpko/contributors/2005/January2005_4.pdf